

# **EXHIBIT F**

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United States District Court, Central District  
of California

# Local Rules

<b>Rule Name:</b> F.R.Civ.P. 83. Rules by District Courts; Judge's Directives	<b>Chapter:</b> Chapter I: Local Civil Rules, Integrated with Titles of Federal Rules of Civil Procedure	<b>Last Revised:</b> 11/2006
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## **F.R.Civ.P. 83. Rules by District Courts; Judge's Directives**

### ***L.R. 83-1 Assignment of Cases - Notice of Related Cases in Central District, Other Actions, or Petitions to Multidistrict Panel***

***L.R. 83-1.1 Assignment of Cases*** . Civil actions shall be assigned when commenced to individual judges and magistrate judges of this Court in the manner provided by General Order.

#### ***L.R. 83-1.2 Refiling of Actions***

***L.R. 83-1.2.1 Improper Refiling of Actions*** . It is not permissible to dismiss and thereafter refile an action for the purpose of obtaining a different judge.

***L.R. 83-1.2.2 Duty on Refiling of Actions*** . Whenever an action is dismissed by a party or by the Court before judgment and thereafter the same or essentially the same claims, involving the same or essentially the same parties, are alleged in another action, the later-filed action shall be assigned to the judge to whom the first-filed action was assigned. It shall be the duty of every attorney in any such later-filed action to bring those facts to the attention of the Court in the Civil Cover Sheet and by the filing of a Notice of Related Case(s) pursuant to L.R. 83-1.3.

#### ***L.R. 83-1.3 Notice of Related Cases***

***L.R. 83-1.3.1 Notice***. At the time a civil action (including a notice of removal or bankruptcy appeal) is filed, or as soon as known thereafter, the attorney shall file and serve on all parties who have appeared a Notice of Related Case(s), stating whether any action previously filed or currently pending in the Central District and the action being filed appear:

(a) To arise from the same or a closely related transaction, happening or event; or (Amended, effective 7/1/05)

(b) To call for determination of the same or substantially related or similar questions of law and fact; or (Amended, effective 7/1/05)

(c) For other reasons would entail substantial duplication of labor if heard by different judges; or (Amended, effective 7/1/05)

(d) To involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c is present. (Amended, effective 7/1/05)

The Notice of Related Case(s) shall also include a brief factual statement

setting forth the basis for the attorney's belief that the action qualifies for related case transfer.

The Notice of Related Case also shall be served concurrently with service of the complaint.

**L.R. 83-1.3.2 Opposition** . Any party opposing a related case transfer may, within five (5) days of the service of a notice of Related Case(s) on that party, or first appearance, file and serve a short counter-statement setting forth the reasons the action does not qualify for related case transfer.

**L.R. 83-1.3.3 Continuing Duty** . It shall be the continuing duty of the attorney in any case promptly to bring to the attention of the Court, by the filing of a Notice of Related Case(s) pursuant to L.R. 83-1.3, all facts which in the opinion of the attorney or party appear relevant to a determination whether such action and one or more pending actions should, under the criteria and procedures set forth in L.R. 83-1.3, be heard by the same judge.

**L.R. 83-1.4 Notice of Pendency of Other Actions or Proceedings**

**L.R. 83-1.4.1 Notice** . Whenever a civil action filed in or removed to this Court involves all or a material part of the subject matter of an action then pending before the United States Court of Appeals, Bankruptcy Appellate Panel, Bankruptcy Court or any other federal or state court or administrative agency, the attorney shall file a "Notice of Pendency of Other Actions or Proceedings" with the original complaint or petition filed in this Court. The duty imposed by L.R. 83-1.4 continues throughout the time an action is before this Court.

**L.R. 83-1.4.2 Notice - Contents** . The Notice of Pendency of Other Actions or Proceedings shall contain:

- (a) A description sufficient to identify all other actions or proceedings;
- (b) The title of the court or administrative body in which the other actions or proceedings are pending;
- (c) The names of the parties or participants in such other actions or proceedings;
- (d) The names, addresses and telephone numbers of the attorneys in such other actions or proceedings; and
- (e) A brief factual statement setting forth the basis for the attorney's belief that the action involves all or a material part of the subject matter of such other actions or proceedings.

**L.R. 83-1.4.3 Notice of Petition to the Judicial Panel on Multidistrict Litigation - Duty of Counsel** . The attorney shall comply with L.R. 83-1.4 promptly upon learning that an action or proceeding filed in this Court is the subject of or is related to an action which is before the Judicial Panel on Multidistrict Litigation, or which has been transferred by it pursuant to 28 U.S.C. § 1407.

**L.R. 83-2 Attorneys - Admission, Substitution and Withdrawal, Communications With Court**